

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BOBBY DARRELL COLBERT,

Petitioner,

v.

MARGARET GILBERT,

Respondent.

Case No. C16-1663 RSL-BAT

**ORDER TRANSFERRING CASE  
TO NINTH CIRCUIT**

The Court, having reviewed Petitioner's 28 U.S.C. § 2254 habeas petition, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any objections or responses to that, and the remaining record, finds and Orders as follows:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's 28 U.S.C. § 2254 petition is **TRANSFERRED TO THE NINTH CIRCUIT AS A SECOND OR SUCCESSIVE PETITION.**

(3) The Clerk is directed to send copies of this Order to Petitioner and to the Hon. Brian A. Tsuchida **AND TO ADMINISTRATIVELY CLOSE THIS FILE.**

DATED this 18<sup>th</sup> day of Jan. 2017, ~~2016~~.

  
ROBERT S. LASNIK  
United States District Judge